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PATENT

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cabantchik et al.

Serial No: 09/868,083

Filed: June 14, 2001

For: METHOD FOR MEASURING NON-TRANSFERRIN BOUND IRON

PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW HOLDING OF ABANDONMENT

December 19, 2002

EXPRESS MAIL NO.:ET346770913US

BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby submit this Petition to Withdraw Holding of Abandonment for the above-identified patent application due to failure to respond to a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office within the specified period. The facts and circumstances resulting in this petition are listed below.

In response to an Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed July 17, 2001, a Response was timely filed on November 19, 2001. Upon a routine check of the file in January 2001, it came to the attention of the undersigned attorney that the return receipt postcard had not been received. In an overabundance of caution, a Submission of Duplicate Papers was filed on January 17, 2002,

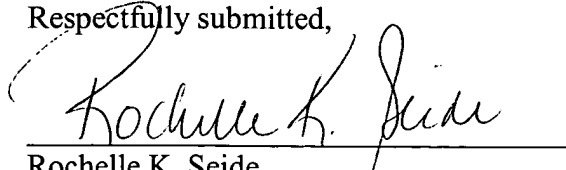
enclosing a copy of the originally filed Declaration. The return receipt postcard for the Submission of Duplicate Papers was stamped February 1, 2002 by the USPTO.

I attest that I timely mailed the Notification of Missing Requirements Under 35 U.S.C. 371 for this application on November 19, 2001. Enclosed is a copy of a signed Declaration (4 pages), a Transmittal Form (1 page), a Fee Transmittal Sheet (1 page), a Petition for Extension of Time under 37 C.F.R. 1.136(a) (2 pages), the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (1page), a page from the Baker Botts log book for USPTO mail dated November 19, 2001 (1 page), a postcard (1 page), and a Certificate of Mailing for November 19, 2001(1 page). These papers show that the Response to Notification of Missing Requirements Under 35 U.S.C. 371 was timely filed by first class mail on November 19, 2001 and addressed to the United States Patent and Trademark Office, as indicated on the enclosed Certificate of Mailing. Also enclosed is a copy of the Submission of Duplicate Papers, filed January 17, 2002, and return receipt postcard, stamped February 1, 2002.

Since the Response to Notification of Missing Requirements Under 35 U.S.C. 371 was timely filed on November 19, 2001, it is respectfully submitted that the application was not abandoned. In view of the above, it is respectfully requested that the Abandonment be withdrawn.

Applicant's believe that there is no fee required. However, if such fee is required, the Commissioner is hereby authorized to charge payment of any fees relating to this communication to Deposit Account No. 02-4377. A duplicate copy of this page is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Rochelle K. Seide", is written over a horizontal line.

Rochelle K. Seide
PTO Reg. No. 32,300

Attorney for Applicants

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